

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-11-69-GF-BMM

Plaintiff,

vs.

ORDER

LLOYD T. RIDER,

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 2, 2019. (Docs. 78.) Lloyd Rider (Rider) filed objections on October 15, 2019. (Doc. 83.) The Court reviews de novo findings and recommendations to which a party objects. 28 U.S.C. § 636(b)(1).

Judge Johnston conducted a revocation hearing on October 3, 2019. (Doc. 77.) The United States accused Rider of violating his conditions of supervised release by (1) committing another crime; (2) by consuming alcohol; (3) by using

methamphetamine; (4) by using a controlled substance; and (5) by knowingly communicating with a person convicted of a felony without first obtaining the permission of his probation officer. (Doc. 70.) Rider admitted to all of the allegations except 1, 4 and 5. The government did not attempt to prove alleged violations 1 and 4. The government satisfied its burden of proof with respect to alleged violation 5. (Doc. 78 at 3.) The United States did not attempt to prove that Hall had committed another crime. (Doc. 78 at 3.)

Rider now opposes Judge Johnston's Findings and Recommendations, objecting to the recommended term of supervised release of 18 months and requesting to allocute before the undersigned. (Doc. 83.)

The Court conducted a revocation hearing on October 22, 2019. (Doc. 85.) The Court has also considered the 18 U.S.C. § 3553(a) factors and agrees with Judge Johnston's Findings and Recommendations. Rider's violations of his conditions represent a serious breach of the Court's trust. These violation prove serious and warrant revocation of Rider's supervised release. Judge Johnston has recommended that the Court revoke Rider's supervised release and commit Rider to the custody of the Bureau of Prisons for nine months. (Doc. 78 at 3.) Judge Johnston further has recommended that 18 months of supervised release follow his custody period. (Doc. 78 at 4.) This Court believes that Rider should continue to be

on supervised release to help him stay on track. The sentence recommended by Judge Johnston is sufficient, but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 78) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Lloyd T. Rider be sentenced to custody for nine months, followed by 18 months supervised release.

DATED this 22nd day of October, 2019.

A handwritten signature in blue ink that reads "Brian Morris". The signature is fluid and cursive, with "Brian" on top and "Morris" below it, both starting with a capital letter.

Brian Morris
United States District Court Judge